



State of Ohio Environmental Protection Agency

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May 20, 2009

Mark Durno  
Chief, Emergency Response Section 1  
U.S. EPA Region V  
25089 Center Ridge Road  
Westlake, OH 44145-4170

RE: Former Cleveland Trencher Facility, 20100 St. Clair Ave., Euclid, Ohio

Dear Mr. Durno:

Ohio EPA requests U.S. EPA's assistance in conducting the removal of hazardous waste, as well as other hazardous substances found in over 120 containers, aboveground/underground storage tanks, transformers and debris from the Cleveland Trencher facility located in Cuyahoga County, Ohio. The facility and associated property is located at 20100 Saint Clair Avenue in Euclid, Ohio and is approximately 14 acres in size. The facility has unrestricted access along the southern boundary and is susceptible to vandalism which may lead to further releases of hazardous substances. Included for your reference is Ohio EPA's Time Critical Removal Referral Package which includes information concerning the facility.

**Site History:**

Cleveland Division of Air Quality (CDAQ), who is Ohio EPA's delegated local air authority, inspected the Cleveland Trencher facility in August and September 2007 and documented violations of the National Emission Standards for Hazardous Air Pollutants (NESHAP) related to improper asbestos abatement. CDAQ observed that approximately half of the buildings at the facility were demolished without properly abating asbestos containing material (ACM). CDAQ issued Notice of Violation (NOV) letters to the owner/operator of the facility, as well as to the contractors who had conducted the improper asbestos abatement. Further, during their inspections, CDAQ observed the presence of multiple drums containing unknown liquids. CDAQ subsequently notified Ohio EPA, Division of Hazardous Waste Management (DHWMM) concerning the presence of the containers.

On March 6, 2008, Ohio EPA inspected the facility and observed numerous drums with unknown contents. On April 2 and August 6, 2008, Ohio EPA issued NOV letters to the

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

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owner/operator of the facility requesting that the wastes be evaluated and disposed. No response to Ohio EPA's letters was received.

On January 22, 2009, Ohio EPA, CDAQ and James Justice of your office, met with the owner/operator at the Cleveland Trencher facility. During the inspection, Ohio EPA documented the presence of over 120 containers of unevaluated wastes which were in poor condition and releasing their contents, aboveground and underground storage tanks, electrical transformers and building demolition debris piles. Ohio EPA requested the owner/operator to take immediate action to evaluate and dispose of the wastes. The owner/operator subsequently notified Ohio EPA that they were unwilling to evaluate and dispose of the wastes.

On March 5, 2009, Ohio EPA and U.S. EPA returned to the facility to obtain samples. The results of the samples revealed the presence of ignitable (D001) and toxicity characteristic (D008 and D035) hazardous wastes at the facility.

On April 30, 2009, Ohio EPA issued NOV letters to the owner/operator of the facility for violations of Ohio hazardous waste laws, including unlawful storage and disposal of hazardous waste. No response to Ohio EPA's letters was received.

#### **Site Sampling:**

Ohio EPA documented the presence of ignitable and toxicity characteristic hazardous wastes, as well as polychlorinated biphenyls (PCBs).

Prior to facility demolition activities, an asbestos survey had been conducted. ACM was found to contain amosite and chrysolite asbestos ranging in values from three percent to 40%. A post demolition asbestos survey indicated the presence of ACM in the building debris piles, as well in remaining building materials ranging in values from five percent to 25%.

#### **Conclusion:**

Uncontrolled releases of hazardous substances at the facility may pose a threat to human health and the environment. A threat of fire or explosion exists due to the presence of ignitable hazardous wastes at the facility.

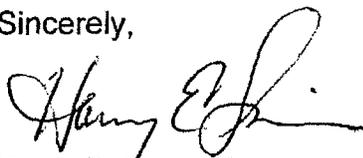
Due to the conditions, the quantity of hazardous substances and other unknown wastes and the owners/operator's recalcitrance to complete required activities, I hereby request that U.S. EPA conduct a removal action at the Cleveland Trencher facility. Ohio EPA would also request that it be notified of any activities conducted at the facility. If you have

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any further questions or require additional information, please contact Frank Zingales of Ohio EPA's Northeast District Office at (330) 963-1108.

Sincerely,



Harry E. Sarvis, Manager  
Compliance Assurance Section  
Division of Hazardous Waste Management

HS/js

cc: Frank Zingales, NEDO, DHWM  
Mitch Mathews, DHWM, CO  
Todd Anderson, Legal, CO  
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